

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
- Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received ☐
2. Application complies with all relevant planning policies and is acceptable on planning grounds ☐
3. There is no Committee resolution for the enforcement action ☐
4. There is no effect on listed buildings or their settings ☐
5. The site is not in the Green Belt (but see 11 below) ☐

REFUSAL RECOMMENDED: GENERAL

6. Application is contrary to relevant planning policies/standards ☐
7. No petition of 20 or more signatures has been received ☐
8. Application has not been supported independently by a person/s ☐
9. The site is not in Green Belt (but see 11 below) ☐

RESIDENTIAL DEVELOPMENT

10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha ☐
11. Householder application in the Green Belt ☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses ☐
13. Refusal of change of use from retail class A1 to any other use ☐
14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. ☐

CERTIFICATE OF LAWFULNESS

15. Certificate of Lawfulness (for proposed use or Development) ☐
16. Certificate of Lawfulness (for existing use or Development) ☐
17. Certificate of Appropriate Alternative Development ☐

CERTIFICATE OF LAWFULNESS

18. ADVERTISEMENT CONSENT (excluding Hoardings) ☐
19. PRIOR APPROVAL APPLICATION ☐
20. OUT-OF-BOROUGH OBSERVATIONS ☐
21. CIRCULAR 18/84 APPLICATION ☐
22. CORPSEWOOD COVENANT APPLICATION ☐
23. APPROVAL OF DETAILS ☐
24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval ☐
25. WORKS TO TREES ☐
26. OTHER (please specify) ☐

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address LAND FRONTING 142 HIGH STREET UXBRIDGE

Development: Installation of 1 no. new BT Street Hub, incorporating 2 no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s).

LBH Ref Nos: **76747/APP/2021/3448**

Drawing Nos: Professional Lighting Guide
 Conformity Certificate
 BT Street Hub Product Statement
 Anti-Social Management Plan
 003 Rev A
 BT Street Hub 2021 Renders.
 001 Rev A
 002 Rev A
 Planning Statement and Design Access.

Date Plans received : 10/09/2021

Date(s) of Amendment(s):

Date Application Valid: 10/09/2021

1. **SUMMARY**

Planning permission has been sought for the erection of a new BT Street Hub, and the removal of two kiosks.

It is considered the proposed communication hub is unacceptable in terms of its appearance and siting. Due to the proposed location next to the public highway and a busy bus stop which would reduce the width of the public footpath, disrupting the free flow of pedestrian traffic and causing harm to pedestrian and highway safety. It would also obstruct visibility raising concerns with potential fear of crime for public realm users. Furthermore, the proposed communication hub would visually and physically clutter the appearance of the street scene, detracting from the conservation area and the settings of the adjacent listed buildings.

Consequently, the street hub would be considered an incongruous and detracting addition to the conservation area and street scene, and impact on pedestrian and highway safety and on the character and appearance of the immediate street scene, the surrounding Old Uxbridge/Windsor Street Conservation Area and Uxbridge Town Centre, contrary to the relevant policies set out in the Hillingdon Local Plan: Part One Strategic Policies (2012) and Part Two - Development Management Policies (2020) and should be refused accordingly.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed communications hub, by reason of its design, scale, siting, illumination and creation of additional street clutter, would harm the appearance of the surrounding townscape, Old Uxbridge / Windsor Street Conservation Area and the settings of the adjacent Grade II listed buildings. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies

DMHB 1, 3, 4, 11, 12, 13A, 15 and 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), policies HC1, D3, D5, D8 and T2 of The London Plan (2021), and the National Planning Policy Framework (2021).

2 NON2 Non Standard reason for refusal

The proposed communications hub, by reason of its scale and siting, would result in a reduction of the width of the public footway, disrupting the inclusive free flow of pedestrian traffic for all users to the detriment of pedestrian and highway safety, contrary to policy BE1 of the Hillingdon Local Plan: Part One (November 2012), policies DMHB15 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies T2, T4, D3, D5 and D8 of the London Plan (2021) and the National Planning Policy Framework (2021).

3 NON2 Non Standard reason for refusal

The proposed communications hub, by reason of its design, scale and siting would result in obstructions to sight lines for public realm users having an adverse impact on perceived safety and increased risk of crime and public safety implications, contrary to policy BE1 of the Hillingdon Local Plan: Part One (November 2012), policy DMHB 15 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), policies D3 of the London Plan (2021) and the National Planning Policy Framework (2021).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and National Guidance.

NPPF10	NPPF 2021 - Supporting high quality communications
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D5	(2021) Inclusive design
LPP D8	(2021) Public realm
LPP HC1	(2021) Heritage conservation and growth
LPP SI6	(2021) Digital connectivity infrastructure
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm

DMHB 13A	Advertisements and Shop Signage
DMHB 15	Planning for Safer Places
DMHB 2	Listed Buildings
DMHB 21	Telecommunications
DMHB 3	Locally Listed Buildings
DMHB 4	Conservation Areas
DMT 2	Highways Impacts

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The application site comprises of a section of pavement outside Barclays, 142 High Street, Uxbridge. However, it is noted that the application site appears to be located along Belmont Road, not the High Street. The site is situated within Uxbridge town centre, along a busy pedestrian area, next to a busy bus stop. It also falls within the Old Uxbridge/Windsor Street Conservation Area. The site is located within the northern section of the conservation area, which retains a number of early buildings, many of which are statutory listed. The immediate context of the application site is simple in appearance and relates to the later addition to Barclays. There is an existing non-illuminated BT kiosk on site, alongside other street furniture, including a bin, railings and further along a bus shelter.

3.2 **Proposed Scheme**

The application seeks planning permission for the installation of a free-standing telecommunications structure (BT Street Hub) with 2 no. LED digital display screens on a pavement area outside of number 142 High Street. The proposal also seeks the removal of two existing telephone boxes in two different locations: Location 1- Pavement outside of 142 High Street and Location 2 - Sweetcroft Lane.

The proposed unit would measure 1.23 metres in width, with a depth of 0.35 metres (approximately) and would measured 2.98 metres in height. The 'BT Street Hub' unit would contain an interactive tablet and key pad which would allow for free public Wi-Fi, free UK calls and USB charging.

A separate advertisement consent application has been submitted for the LED digital screens (Ref: 76747/ADV/2021/43).

3.3 **Relevant Planning History**

76747/ADV/2021/43 Land Fronting 142 High Street Uxbridge

Installation of 1 no. new BT Street Hub, incorporating 2 no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s).

Decision: 13-01-2022 Refused

Comment on Planning History

The sites planning history is set out in section 3.3 of this report. There are no comments to make on the sites history.

4. **Advertisement and Site Notice**

4.1 Advertisement Expiry Date:- 24th November 2021

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

One hundred and thirty neighbours were consulted on 22-10-21 and expired on 12-11-21, no responses were received. Six internal consultees and official bodies were also consulted; Metropolitan Police Designing Out Crime Group (DOCG), Access Officer, Highways, Conservation Officer, Digital Connectivity Team and the BID Manager. Three responses were received and summarised below.

Consultee Comments

Access Officer:

London Plan policy D5 has been referenced in assessing this application for a new Communication Hub. The unit should be installed such that it does not impede pedestrian movements: 1. The unit should be aligned with all existing street furniture and trees; 2. The footway width should not reduce below 2m CONCLUSION: any grant of planning permission should secure the provisions set out above.

Officers comments:

1. The unit is somewhat inline with the existing bin
2. The footway width would be maintained at 3.79m

Highways Officer:

Although the proposed location is a replacement of an existing hub, the current location is very close to an extremely busy bus stop at the end of the route where a large number of people disembark.

Officers comments: Discussed throughout Section 7

Conservation Officer:

Assessment Impact

- Introduction of an isolated piece of street furniture
- Addition of clutter
- Hub would be notably larger than existing street furniture
- The digital illuminated advertisement panel would further emphasize its unacceptable prominence along the street scene and as part of one of the gateways in the conservation area.
- Advertising would visually clutter the appearance of the High Street.
- Hub would be visible within the setting of the listed and locally listed buildings
- Shopfront illumination is extremely limited within the existing surrounding context.
- The positioning of the communication hub would significantly narrow the existing pavement.
- The introduction of the new obstruction would restrict the flow of movement for users.
- Visually and physically clutter the appearance of the street scene.
- The proposal fails to enhance the character and appearance of the street scene.

Harm

- In isolation, the proposed communication hub, for reasons stated above, would result in less than substantial harm to the conservation area and setting of the Listed Buildings.
- The cumulative and incremental impact of other proposed street hubs (by BT and other

providers) should be considered.

- The proposed street hub would fail to preserve or enhance the conservation area.

Officers comments: Discussed throughout Section 7

6. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

NPPF10 NPPF 2021 - Supporting high quality communications

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF16 NPPF 2021 - Conserving & enhancing the historic environment

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D5 (2021) Inclusive design

LPP D8 (2021) Public realm

LPP HC1 (2021) Heritage conservation and growth

LPP SI6 (2021) Digital connectivity infrastructure

LPP T2 (2021) Healthy Streets

LPP T4 (2021) Assessing and mitigating transport impacts

DMHB 1 Heritage Assets

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 13A Advertisements and Shop Signage

DMHB 15 Planning for Safer Places

DMHB 2 Listed Buildings

DMHB 21 Telecommunications

DMHB 3 Locally Listed Buildings

DMHB 4 Conservation Areas

DMT 2 Highways Impacts

In addition:

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Given its location within a town centre, and separation distances from neighbouring residential properties the scale and illumination of the proposed signage is not considered to have an undue impact upon the residential amenities of any surrounding properties.

7.2 Impact on Street Scene

Policy DMHB 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the Council will expect development proposals to avoid harm to the historic environment.

Policy DMHB 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development will be required to be designed to the highest standards and incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent structures.

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires development proposals to be well integrated with the surrounding area and accessible.

DMHB 13A of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that: A) In order to improve and maintain the quality of the public realm, advertisements, signs and hoardings will be required to demonstrate that: i) they complement the scale, form, materials and architectural composition of the individual buildings of which they form a part; ii) they complement the visual amenity and character of the site and surrounding area; iii) they enhance historic assets and their setting; iv) they do not have an adverse impact on public or highway safety; v) they do not lead to visual clutter; vi) they provide an appropriate type and level of illumination, suitable to the site and its surroundings; and vii) they enhance the visual amenity of vacant sites, building sites and the surrounding area during the construction period.

Policy DMHB 21 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that: Telecommunication development will only be permitted where: i) it is sited and designed to minimise their visual impact; ii) it does not have a detrimental effect on the visual amenity, character or appearance of the building or the local area; iii) it has been demonstrated that there is no possibility for use of alternative sites, mast sharing and the use of existing buildings; v) there is no adverse impact on areas of ecological interest, areas of landscape importance, archaeological sites, Conservation Areas or buildings of architectural or historic interest; and vi) it includes a Declaration of Conformity with the International Commission on Non Ionizing Radiation.

Policy HC1 of The London Plan (2021) states development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities.

Policy T2 of The London Plan (2021) states that developments should identify opportunities to improve the balance of space given to people to dwell, walk, cycle, and travel on public transport and in essential vehicles, so space is used more efficiently, and streets are greener and more pleasant.

Policy D5 of The London Plan (2021) states that Boroughs should support the creation of

inclusive neighbourhoods by embedding inclusive design, and collaborating with local communities in the development of planning policies that affect them. Achieving the highest standards of accessible and inclusive design with Design and Access Statements, submitted as part of development proposals, should include an inclusive design statement.

Paragraph 202 of the National Planning Policy Framework (2021) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

Section 72 of the (Listed Buildings and Conservation Areas) Act 1990 states that Local Planning Authorities must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Section 66 of the (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The existence of the existing BT kiosk/hub does not establish the principle of the permanence of such street furniture within the conservation area. The existing kiosk detracts from the character and appearance of the conservation area and street scene. In comparison to the existing BT kiosk, the proposed street hub would be notably taller in height and include illuminated advertisement on both sides. It would have a greater prominence along the street scene, exacerbated by the illuminated advertising.

The Council's Conservation Officer objects to the proposed communication hub in regards to its impact on the immediate street scene and the Old Uxbridge/Windsor Street Conservation Area. It is considered that the unit would detract from the character and appearance of the immediate street scene and the surrounding Old Uxbridge/Windsor Street Conservation Area.

It is noted that whilst the communication hub is not visible from a listed building, it forms an entrance into High Street which retains a number of early buildings, many of which are statutory listed, and is considered the wider setting of the site. In isolation, the proposed communication hub, for reasons stated above, would result in less than substantial harm to the conservation area and setting of the Listed Buildings (Paragraph 202 of the National Planning Policy Framework). This harm would not be outweighed by the limited public benefits of free Wifi, calls and USB charging adjacent to the hub.

Furthermore it is noted that currently there are two other applications for street/communication hubs within this conservation area. Therefore, the cumulative and incremental impact of other proposed street hubs (by BT and other providers) should be considered, as stated under paragraph 28 of Historic England's Managing Significance in Decision-Taking in the Historic Environment: Good Practice Advice in Planning 2 (GPA 2, 2015) and Policy HC1 of The London Plan (2021). The incremental impact of other street hubs and/or similar developments would significantly clutter the street scene, exacerbating the harm to the conservation area.

It is also noted that the siting and appearance of the proposed communication hub would severely undermine the 2018 Uxbridge Town Centre improvements; the improvements to the town centre sought to rationalise and declutter the amount of street furniture throughout the High Street in order to provide an improved appearance. The proposed communication hub would result in an increased visual and continued renewal of street

clutter along this section of the high street thereby harming the character and appearance of Uxbridge Town Centre.

In terms of design, the proposed unit is considered to be contemporary in its design and due to its overall size, design and proposed materials the unit is considered to detract from the character and appearance of the surrounding area and when viewed within the surrounding historic setting, it is considered that the proposed telecommunication structure would not visually integrate with its surroundings.

The principal use of the street hub would be for advertising, which would visually stand out along this section of Belmont Road. There is very little illuminated signage within the site's context. There would be significant concerns it could establish an incrementally harmful, competitive signage (illumination) environment between the street hub and adjacent commercial buildings. Therefore, the proposed communication hub and associated advertising would visually and physically clutter the appearance of the street scene affecting the visual amenity and character of the site and surrounding area. Furthermore, the proposal fails to take the opportunity to enhance the character and appearance of the street scene.

Having regard to the above, it is considered that the proposed communication hub would be considered to be an incongruous and detracting addition to the conservation area and cause undue harm to the character and appearance of the street scene. It would also unacceptably harm the setting of the surrounding Listed Buildings. The proposal would be contrary to policies set out in the refusal.

Removal of two kiosks:

The proposal also seeks the removal of two existing telephone boxes in two different locations: Location 1- Pavement outside of 142 High Street and Location 2 - Sweetcroft Lane.

The proposed removal of the kiosk along Sweetcroft Lane, Hillingdon is not located within the Conservation Area affected by the proposal nor is it located within the Uxbridge area in general. The principle of removing the existing BT kiosk along Belmont Road would be supported as existing the kiosk detracts from the character and appearance of the conservation area and street scene. Furthermore, the removal of the kiosk from Sweetcroft Lane would also be supported to improve the street scene.

The impact of the proposed internally illuminated adverts will be covered in the Officer Report for the separate advert consent application (Ref: 76747/ADV/2021/43).

7.3 Traffic Impact/Pedestrian Safety

Policy AM7 of the Hillingdon Local Plan: Part One - Saved UDP Policies (November 2012) states that permission will not be given for developments that prejudice the free flow of traffic or conditions of general highway or pedestrian safety.

Policy T4 of the London Plan specifies that development proposals 'should not increase road danger.' This is supported by DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks safe and secure access for pedestrians, cyclists and vehicles.

The proposed hub, as previously mentioned, would have approximately 3.799 metres between the proposed telecommunication structure and the nearest building line, and 1.2 metres between the hub and highway. Despite, the proposed location being a replacement of an existing hub, the current location is very close to an extremely busy bus

stop at the end of the route where a large number of people disembark, the obstacle on the section of pavement would restrict the flow of pedestrians, potentially causing pedestrians to step out onto the highway to find room and overall cause harm to pedestrian and public highway safety.

It is therefore considered that the proposal would impede the flow of passing pedestrians, and is not in compliance with Policy T4 of the London Plan (2021), and Policy DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.4 Carparking & Layout

Not applicable to this application.

7.5 Urban Design, Access and Security Considerations

Urban Design:

See Section 7.2 of this report.

Section 8, Paragraph 92 (b) of National Planning Policy Framework (2021) states that planning decisions 'should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion'.

The supporting wording to Policy D3 of the London Plan (2021) specifies that 'measures to design out crime should be integral to development proposals' and opportunities for anti-social behaviour, criminal activities and terrorism should be reduced. The supporting wording of Policy D3 also specifies that 'developments should ensure good natural surveillance [and] clear sight lines'.

Policy DMHB 15 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development will be required to comprise good design and create inclusive environments whilst improving safety and security.

The design of the Hub would have a solid frame which would result in a reduction in natural surveillance. Consequently, the Hub would not only form a physical obstruction but would also obstructed sightlines through the public realm, which would result in risk from crime or anti-social behaviour. This would further deter the public from using the public realm due to the fear of crime, and less people using the public space would further exacerbate these concerns.

The proposed development is therefore considered to pose an increased crime risk and a reduction in public safety, which is unacceptable.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

The London Plan (2021)

National Planning Policy Framework (2021)

Historic England's Managing Significance in Decision-Taking in the Historic Environment:

Good Practice Advice in Planning 2 (GPA 2, 2015)

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